

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:19-00167

WILLIAM ANTHONY SPARKS

**MEMORANDUM OPINION AND ORDER**

Pending before the court is defendant's motion to continue his plea hearing, currently scheduled for July 13, 2020. (ECF No. 59). In support of the motion and the need for a continuance, counsel for the defendant contends that defendant is unable to travel from Michigan to West Virginia on July 13, 2020. he needs further time to negotiate a plea with the government.

The government does not oppose defendant's request for a continuance.

In ordering the continuance of defendant's trial in this matter, the court finds that the ends of justice served by ordering the continuance outweigh the best interest of the defendant and the public in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A). In deciding to grant the motion to continue, the court considered the factors outlined in 18 U.S.C. §3161(h)(7)(B) and found that failure to grant a continuance would result in a miscarriage of justice.

Accordingly, the court hereby **GRANTS** the motion to continue and **ORDERS** as follows:

1. The plea hearing is rescheduled for July 20, 2020, at 2:30 p.m., in Charleston.
2. Trial of this action is continued until July 21, 2020, at 9:30 a.m., in Charleston.
3. Pursuant to 18 U.S.C. § 3161(h) (7) (A), the time from the filing of the motion until the trial is excludable for purposes of the Speedy Trial Act.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 13th day of July, 2020.

ENTER:

  
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David A. Faber  
Senior United States District Judge